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November 27, 2019

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk / Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Enrique McMilion, Jr. v. Duke Energy Carolinas, LLC
Docket No. 2019-331-E

Dear Ms. Boyd:

Pursuant to S.C. Code Ann. Regs. 103-829(A), Duke Energy Carolinas, LLC (the "Company") files this response to Complainant's Motion to Strike Answer and Motion to Dismiss Complaint ("Complainant's Motion"). South Carolina Rule of Civil Procedure 12(f) provides that "[u]pon motion pointing out the defects complained of, . . . the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent or scandalous matter." Complainant's Motion describes no "insufficient defense or any redundant, immaterial, impertinent or scandalous matter" that would warrant the Commission striking any portion of the Company's Answer and Motion to Dismiss. For that reason, Complainant's Motion is patently deficient and should be denied.

The Company respectfully renews its request that the Commission dismiss the above-captioned matter on the merits, and that the Clerk's office delay establishing a procedural schedule until such time as the Commission has ruled on the Motion to Dismiss.

Kind regards,

Sam Wellborn

SJW:tch

Enclosures

c w/enc: Enrique McMilion, Jr. (via email and U.S. Mail)
Jeffrey M. Nelson, Esquire (via email and U.S. Mail)
Heather Shirley Smith, Deputy General Counsel (via email)
Rebecca J. Dulin, Associate General Counsel (via email)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2019-331-E

Enrique McMilion, Jr.,)
)
Complainant/Petitioner,)
)
v.)
)
Duke Energy Carolinas, LLC,)
)
Defendant/Respondent.)
_____)

CERTIFICATE OF SERVICE

This is to certify that I, Samuel J. Wellborn, an attorney with the law firm of Robinson Gray Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below the **Response to Complainant's Motion to Strike on behalf of Duke Energy Carolinas, LLC** in the foregoing matter by placing a copy of same in the U.S. Mail and/or via electronic mail addressed as follows:

Enrique McMilion, Jr.
200 Evergreen Church Road
Starr, SC 29684
Email: emcmilion3@gmail.com

Jeffrey M. Nelson, Counsel
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
Email: jnelson@ors.sc.gov

Dated at Columbia, South Carolina this 27th day of November, 2019.


